

MINUTES
UTAH
MARRIAGE AND FAMILY THERAPY
BOARD MEETING

September 14, 2007

Room 475 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:37 A.M.

ADJOURNED: 1:10 P.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Karen Feinauer
Lanae Valentine, Ph.D.
Richard Nielsen, Ph.D.
Jean N. Soderquist, Ph.D.

Board Members Absent:

James M. Harper, Ph.D., Chairperson

Guests:

Alan Springer, UAMFT President
Michael Berrett, CEO/Executive Director, Center of Change
Marty Erickson
Thorana Nelson, PhD, LMFT

DOPL Staff Present:

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Acting Board Chairperson

Dr. Nielsen was requested to act as Board chairperson for this meeting due to the absence of Dr. Harper.

MINUTES:

The minutes from the June 1, 2007 meeting were read.

Dr. Valentine made a motion to approve the minutes as read. Dr. Soderquist seconded the motion. **The Board vote was unanimous.**

APPOINTMENTS:

10:00 A.M. to 10:30 A.M.

Dr. David Gardner, Probationary Interview

Dr. Gardner did not meet for his probationary interview.

Ms. Taxin updated the Board regarding Dr. Gardner. She stated that Dr. Stahmann, Dr. Gardner's supervisor, was also requested to meet. Ms. Taxin stated that Dr. Stahmann called to say he would be out of town and unable to meet today. She stated that Dr. Gardner has verbally told her that he has seen some clients but his supervisor, Dr. Stahmann, has written a report that documents Dr. Gardner is not seeing any clients. Ms. Taxin stated that if Dr. Gardner has a client then Dr. Stahmann should be going to the office where Dr. Gardner is meeting his client and sit in on a session or review a video tape, review Dr. Gardner's notes, etc. She stated if Dr. Stahmann has not conducted supervision then Dr. Gardner is out of compliance with his Stipulation and Order.

Ms. Taxin stated that she contacted Dr. Stahmann to submit his resume and a letter regarding his plan to supervise Dr. Gardner. She stated that she has received a letter but no other documentation.

The Board determined Dr. Gardner is out of compliance with his Stipulation and Order due to not meeting today for his probationary interview and not making sure Dr. Stahmann submitted a report regarding supervision and the one client Dr. Gardner has reported he is seeing.

10:45 A.M. to 11:15 A.M.

Dr. Suzanne Dastrup, Probationary Interview

Dr. Dastrup met for her probationary interview.

Dr. Nielsen conducted the interview.

Dr. Nielsen stated that he was impressed with Dr. Dastrup's supervisor as he had called Dr. Nielsen to ask for further information regarding how he could help Dr. Dastrup. He stated that her supervisor is interested in doing the supervision right. Dr. Neilson asked Dr. Dastrup to respond regarding how she believes she is doing and if her

supervision has helped her.

Dr. Dastrup responded that she did not know her supervisor called Dr. Neilson.

She stated that she has learned about boundaries and interpretation of her style of therapy. She stated that she understands that sometimes her clients misinterpret her style. Dr. Dastrup stated that she has been learning more about personality disorders and behaviors, transference and counter-transference issues.

Dr. Dastrup stated that she would like to tell the Board that she is remorseful for any harm that she may have done to anyone. She stated that she is not being arrogant or flippant about her miscommunication or regarding harm she inadvertently may have done.

Dr. Dastrup stated that she is learning about boundaries from this process.

Dr. Nielsen asked Dr. Dastrup to give an example regarding what she has learned about boundaries.

Dr. Dastrup responded that in the past she would accept e-mails, calls, drop-ins at her office from former clients. She stated that now she informs her former clients that therapy was a way to help them be self-sufficient and she has completed their therapy. She stated that she believes she became sloppy with her boundaries. She stated that she did a client test and explained to Dr. Smith, her supervisor, how she had handled the situation. Dr. Dastrup stated that Dr. Smith was impressed.

Ms. Taxin suggested she advise former clients that they may make an appointment with her.

Dr. Nielsen stated that Dr. Dastrup's comments are a marked difference in her practice. He stated that no former client should be an exception to the boundary guidelines. Dr. Nielsen asked Dr. Dastrup to address the change of location of her public office.

Dr. Dastrup responded that she recently moved her Orem office to a location on State Street. She stated that Dr. Smith has visited her home office and her new public office. She stated that the new office is not as quiet or conducive to therapy as her home office but there are some clients that she does not want in her home so retains the public office.

Dr. Nielsen stated that the Board, Dr. Smith and Dr. Dastrup have discussed the frequency of her meetings with Dr. Smith. He asked Dr. Dastrup to give the Board some reasons why the frequency should be less than weekly.

Dr. Dastrup responded that she began supervision in December 2005. She stated that the supervision was to help her to be clear on some issues that were evidently not clear to her. She stated that she believes she has learned from the weekly supervision meetings and that meeting less frequently will not change what she has learned and how she now conducts her practice. Dr. Dastrup stated that she has requested her weekly supervision be reduced to monthly and has the support of Dr. Smith regarding the reduced supervision.

Dr. Nielsen responded that the Board will consider the request and Dr. Smith's recommendation.

Dr. Nielsen asked Dr. Dastrup how she views her interaction with the Board.

Dr. Dastrup responded that she discussed her interactions with the Board with Dr. Smith. She stated that she believes she has been co-dependent. She stated that she has not intended to be disrespectful to the Board but did feel the need to educate the Board regarding her situation. She stated that she would attend the meetings and hear what reports Ms. Taxin has received without the Board or Ms. Taxin being aware of how many months she has been paying restitution, how much gas it has taken to go to Dr. Smith and the amount of time the supervision has taken. She stated that she would not be aware if she were a Board member interviewing a probationer. Dr. Dastrup stated that she believes the Board has viewed

her as being disrespectful and she apologized if her actions have been viewed that way.

Dr. Dastrup stated that her intended actions at the last meeting were not possible. She explained that she was not aware that a probationer could not put their license on inactive. She stated that she had to find another solution. Dr. Dastrup stated that it is a burden for her and that is part of her learning and restitution. She again apologized for seeming defiant, unteachable or unremorseful.

Ms. Feinauer made a motion to reduce the frequency of supervision from weekly to once a month.

Dr. Soderquist seconded the motion.

The Board vote was unanimous.

Ms. Taxin stated that the intent of supervision is to help Dr. Dastrup. She suggested Dr. Dastrup call Dr. Smith if she needs support or help between supervision meetings. She commented that Dr. Dastrup may want to locate a support system after she has completed the probationary process.

Dr. Dastrup thanked Ms. Taxin for her comments.

An appointment was made for Dr. Dastrup to meet again December 14, 2007.

11:15 A.M.

Amy Harman, Marty Erickson and Michael Berrett Discussion regarding Supervision

Ms. Harman, Dr. Erickson and Dr. Berrett met to discuss supervision.

Board members and Division staff were introduced.

Ms. Taxin explained that she gave the Board a summary of Ms. Harman's situation and the Board read through Ms. Harman's letters.

Ms. Harman stated that she also has a letter from Melissa Taylor who has been a licensed MFT for over 2 years.

Ms. Taxin asked if supervision under Melissa Taylor has worked for her in the interim period.

Ms. Harman responded that it has worked out OK for her. She then explained to the Board that she has worked for 2 years as an MFT Intern and also worked while she completed her thesis so she has over 2 years of supervised experience. She stated that she believed her supervision was being done in compliance with Utah's Laws and Rules. Ms. Harman stated that Dr. Erickson has been through the AAMFT supervision course twice but is not an AAMFT approved supervisor. Ms. Harman stated that she has had supervision from the clinical director at her agency in addition to meeting with Dr. Erickson and other professionals to discuss how their clients are doing. She stated that she is confident about her practice and has not been unethical. She stated that she has sought out quality supervision.

Dr. Soderquist commented that in Ms. Harman's letter she states that she thought working with Dr. Erickson was more ethical than not working with him. Dr. Soderquist requested Ms. Harman to explain.

Ms. Harman explained that she was referring to the time frame while they were waiting for Dr. Erickson to obtain his Utah license.

Dr. Soderquist asked if Dr. Erickson practiced in Utah from mid June 2006 until September 2006 when he became licensed in Utah as a Marriage and Family Therapist.

Dr. Erickson responded that he did practice from mid June 2006 until September 2006 when he became licensed. He stated that he was licensed as an MFT in another State.

Dr. Soderquist informed Dr. Erickson that having a license in another State is not recognized in Utah and he should not have been practicing until after September 2006 when he obtained the Utah license.

Ms. Taxin stated that an agency may hire people

but they cannot practice until they have the Utah license. She explained that it is criminal action to practice a regulated profession in Utah without a Utah license.

Dr. Soderquist stated that licensing applies to moving from one State to another, you must have the appropriate license for each State.

Dr. Erickson responded that he contacted DOPL to inform Utah that he would be moving from another State and would be supervising in Utah.

Dr. Soderquist stated that Dr. Erickson's AAMFT supervisor of his supervision is in another State. She asked how he was able to meet AAMFT requirements of face-to-face supervision.

Dr. Erickson responded that he completed all AAMFT requirements except the time period. He explained that he had a contract with Dr. Carlson to do the supervision in training and decided to complete the supervision of supervision under Dr. Carlson. He stated that he knew he had to wait until September 15, 2007 to have the 2 years of supervision in supervision for AAMFT requirements.

Dr. Soderquist commented that Dr. Erickson is explaining AAMFT requirements differently than when she last read the requirements. She stated that he is still required to obtain the face-to-face supervision until he completes all requirements. Dr. Soderquist stated that Dr. Erickson also has the requirement of contact with the supervisor.

Dr. Erickson responded that he and the supervisor did telephone consultation, one video and one live contact over the last year. He stated that he understands that live contact is an issue with AAMFT and he is not clear if AAMFT required him to have live face-to-face supervision with Dr. Carlson.

Dr. Soderquist stated that it has been clarified with his director that lawful practice means licensed practice and since he was not licensed from June 2006 to September 2006 then he was practicing

unlawfully. She stated that ignorance of the Utah law does not justify his unlawful practice. Dr. Soderquist stated that the law outlines the requirements for licensure and the Board and Division are bound to follow those guidelines.

Ms. Taxin stated that her concern is that the intent is for the Intern to be supported and comfortable with their supervision and their practice. She stated that if Dr. Erickson was doing telephone supervision he is not able to see body language, emotions, etc. She stated that the face-to-face supervision is a requirement for Utah. Ms. Taxin asked Dr. Erickson if, in regard to the AAMFT supervision of supervision, Mr. Carlson is giving him all he should be giving as the supervisor. She stated that Dr. Erickson will be better for the agency if he has had the appropriate oversight. She stated that if the supervision is not what it should be then sometimes the licensee gets into problems as they don't know what to do when there are ethical dilemmas. Ms. Taxin stated that after Dr. Erickson completes the education and supervision and becomes licensed he is on his own to practice properly.

Dr. Berrett commented that all the therapists at the agency are supervised for at least a year. He explained that there are 2 sets of supervision going on at all times, the individual supervision and the clinical director supervisor. He stated that the 2 sets of supervision may not have value toward the licensure but there is no shortage of supervision.

Ms. Taxin explained that she suggested to Ms. Harman not to submit an application as she would have to deny the application. She stated that nothing discussed in this meeting can be argued legally as this is an informal discussion and is not binding. Ms. Taxin stated that Ms. Harman will have the following 3 options after this meeting:

- 1. To apply for the MFT Intern license and have the application denied. Ms. Harman would then have legal rights to appeal to a higher authority than the Board and argue**

the decision.

- 2. The Board could recommend accepting some of the hours and Ms. Harman could apply for the MFT license after the remaining hours have been completed.**
- 3. Redo all the hours under an appropriate supervisor.**

Dr. Erickson commented that Ms. Harman has also been receiving supervision from Melissa Taylor. He asked if those hours would count toward the required 4,000 hours.

Ms. Taxin responded that the hours may count if Ms. Harman met regularly with Ms. Taylor, LMFT. She stated that Ms. Taylor would have had to have played a part in the supervision process and if Ms. Taylor is comfortable with verifying Ms. Harman's competency then they hours would probably be acceptable. She stated it would be fraud if Ms. Taylor verified the hours but did not really supervisor and was not aware of Ms. Harman's competency.

Dr. Erickson stated that clearly he and Ms. Harman made a mistake by his supervising her prior to having been licensed a minimum of 2 years as an MFT. He asked what the intent of supervision is other than the legal issue.

Ms. Taxin responded that she decided to give Dr. Erickson a break and not send the case to investigations for practice without a license since he appeared to not have purposefully intended to violate the Law. She then stated that the 2 years of licensure prior to supervising cannot be negotiated. Ms. Taxin reminded Dr. Erickson that he practiced in Utah without a valid Utah license and he did not meet Utah's requirements to be supervising Ms. Harman. She stated that it is unfortunate that his mistakes affected Ms. Harman.

Ms. Taxin asked if all Ms. Harman's hours are under Dr. Erickson.

Ms. Harman responded that she has about 68 hours

under another supervisor and has had Ms. Taylor supervising for the last month. She stated that all the other hours were under Dr. Erickson.

Ms. Taxin stated that after September 28, 2007, Dr. Erickson may start supervising Ms. Harman.

Dr. Soderquist stated that redoing the hours will not be substantial harm to Ms. Harman as she will be able to operate as she has been doing.

Ms. Harman responded that there is financial harm as she is paid less as an Intern.

Dr. Soderquist stated that financial harm would be for Ms. Harman to lose her employment position.

Dr. Berrett assured Ms. Harman that her employment is secure.

Ms. Harman asked if she is required to work full-time and if maternity leave would affect the Intern license period.

Ms. Taxin responded that there is no full-time employment requirement and if the hours are not completed Ms. Harman may request the Intern license to be extended.

Ms. Harman stated that her husband is seeking employment in another State and she stated that she wanted to have her MFT license before they move.

Dr. Soderquist and Ms. Taxin responded that Ms. Harman will be required to meet licensing requirements in each State she lives in.

Ms. Taxin stated that Ms. Harman needs to be aware of licensing requirements for any State she plans to work in as they may be different from Utah's requirements.

Ms. Harman asked if she would just need to redo the 1,000 hours of mental health therapy.

Ms. Taxin responded that she would have to redo

all 4,000 hours of supervised experience.

Dr. Barrett commented that he acknowledges his own wrong doing in this situation as he approved for Dr. Erickson to supervise Ms. Harman. He stated that was sorry for not knowing the supervision requirements.

Ms. Taxin recommended that the agency review the current Laws and Rules each year to be sure they understand licensing requirements.

Following additional discussion the Board determined that all 4,000 hours must be redone under an appropriate supervisor.

11:45 A.M.

Final Review of the Proposed Rules

Ms. Taxin explained that she contacted Alan Springer to review the proposed Rules to be sure the final attorney review did not change the intent. She stated that after the last Rule change regarding an approved supervisor to complete specific courses it was determined that the requirements were too stringent. She stated that she is proposing that up to January 1, 2009, we license applicants if the supervisor has been licensed 2 years and then after January 1, 2009, require the supervisors to complete UAMFT education or be an AAMFT approved supervisor and be licensed 2 years in good standing.

Following additional discussion and a review of the proposed Rules, Dr. Valentine made a motion to accept the Rules with the minor revisions that were recommended by Dr. Thorana Nelson and Alan Springer. Dr. Valentine requested the final document be sent to Dr. Nelson and Dr. Soderquist for a final review.

Ms. Feinauer seconded the motion.

The Board vote was unanimous.

Ms. Taxin explained that revisions will be reviewed again by the attorney and then a hearing will be scheduled and the proposed Rules will be posted on the website for 30 days. She stated that if there are no public comments, concerns or additional revisions, the

Rules will be approved.

DISCUSSION ITEMS:

Board Chairperson

Ms. Taxin explained that each July the Board chairperson is put on the agenda. She stated that the Board may recommend the current Board chairperson continue or they may nominate a new Board chairperson.

Dr. Soderquist nominated Dr. Nielsen as Board chairperson.

Ms. Feinauer seconded the motion.

The Board deferred the vote to the December 14, 2007 Board meeting.

Global Supervision

Ms. Taxin explained that Mr. Stanley was assigned by the Legislative Committee to discuss the levels of supervision with each Board as there is not a global definition of supervision and supervising. She stated that the word supervision means different things to different professions. Ms. Taxin stated that the Legislative Committee has written 3 proposed definitions for supervision for the Board to review and to make a recommendation regarding their Laws and Rules.

Following discussion and review of the Global Definitions for Supervision, the Board recommendation was to maintain their own definitions without adopting any part of the general definitions at this time as there are different levels of MFT supervision but consider options in the future.

Supervisor of Candidate in Training Supervision, AAMFT and Utah MFT

This item was discussed during the Proposed Rules discussion.

2008 Board Meeting Schedule

Ms. Taxin asked the Board if a day other than Friday's would be convenient to schedule their Board meetings.

The Board requested the Board meetings be scheduled for Fridays as that is the most convenient for each of them.

The Board noted the following dates for the 2008 Board meeting schedule: March 14, June 13, September 12 and December 12, 2008.

NEXT MEETING SCHEDULED FOR: December 14, 2007

ADJOURN: The time is 1:10 pm and the meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

December 14, 2007
Date Approved

(ss) James M. Harper, Ph.D.
Chairperson, Utah Marriage and Family Therapy
Licensing Board

October 30, 2007
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational &
Professional Licensing